

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 GABRIEL ECKARD,

8 Plaintiff,

9 v.

10 BREANNE CARAWAY, et al.,

11 Defendants.

Case No. 2:18-cv-001260-TSZ-BAT

**ORDER GRANTING IN PART  
PLAINTIFF'S MOTION TO  
EXTEND TIME TO RESPOND**

12  
13 On December 27, 2018 defendants filed a motion to dismiss. Dkt. 16. Plaintiff's response  
14 was due January 21, 2019. On January 17, 2019, plaintiff moved for a 30 day extension to file a  
15 response, based upon the conditions of his incarceration. Dkt. 18.

16 Since filing this action in August, 2018, plaintiff has filed two additional civil rights  
17 complaints, one in December (C18-1810-RSM) and another on January 23, 2019 (C19-104  
18 RSM). In the present action, plaintiff alleges defendants failed to deliver a newspaper to him.  
19 Defendants move to dismiss on the grounds plaintiff failed to exhaust his administrative  
20 remedies, and none of the defendants personally took any action to deprive plaintiff of a  
21 newspaper. Given plaintiff's demonstrated ability to continue to file civil law suits and the lack  
22 of complexity of the current law suit the court grants a limited extension and **ORDERS:**

23 1. The Court **GRANTS** plaintiff's motion for extension in part. Dkt. 18. Plaintiff's

1 response to defendants' motion to dismiss is due no later than **February 5, 2019**. No further  
2 extensions will be granted.

3       2.       The clerk shall renote defendants' motion to dismiss (Dkt. 16) for February 8,  
4 2019 as ready for the Court's resolution.

5       3.       The clerk shall provide plaintiff a copy of this order.

6       DATED this 25th day of January, 2019.

7  
8 

9 \_\_\_\_\_  
10 BRIAN A. TSUCHIDA  
11 Chief United States Magistrate Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23